

BUCHALTER
A Professional Corporation
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Attorneys for Defendants
NICHOLAS A. PALAZZO, 4TA SPORTS, INC.,
NP VENTURES HOLDINGS, LLC, and
PLAY CALLER SPORTS GAMING LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

SECURITIES AND EXCHANGE COMMISSION.

Plaintiff,

VS.

NICHOLAS A. PALAZZO, 4TA
SPORTS, INC., NP VENTURES
HOLDINGS, LLC, and PLAY
CALLER SPORTS GAMING LLC.

Defendants.

CASE NO. 24-cv-6602-EJD

Judge: Hon. Edward J. Davila
Complaint Filed: September 20, 2024
Current Initial CMC Date: January 16, 2025
Trial Date: None

**STIPULATION AND [PROPOSED]
ORDER MODIFYING THE BRIEFING
SCHEDULE FOR DEFENDANTS'
PROPOSED MOTION SEEKING
DISMISSAL OF THE COMPLAINT**

1 Pursuant to United States District Court Northern District of California Local
 2 Civil Rule 6.1, plaintiff SECURITIES AND EXCHANGE COMMISSION
 3 (“Plaintiff”) and defendants NICHOLAS A. PALAZZO, 4TA SPORTS, INC., NP
 4 VENTURES HOLDINGS, LLC, and PLAY CALLER SPORTS GAMING LLC
 5 (altogether, the “Defendants”), by and through their respective counsel, stipulate as
 6 follows:

7 WHEREAS, on September 20, 2024, Plaintiff filed the complaint in the above-
 8 captioned action against Defendants (the “Complaint”) (ECF No. 1);

9 WHEREAS, on September 23, 2024, the Court entered an Order setting an
 10 Initial Case Management Conference (“CMC”) for January 8, 2025 (ECF No. 5),
 11 which the Court has since rescheduled for January 16, 2025 (ECF No. 15);

12 WHEREAS, the parties have met and conferred on multiple occasions to
 13 discuss the matter and determine whether this case may be expeditiously resolved;

14 WHEREAS, if the case cannot be expeditiously resolved, the Defendants
 15 anticipate filing a motion seeking dismissal of the Complaint;

16 WHEREAS, the parties each seek additional time to pursue an expeditious
 17 resolution and to brief issues for the Court;

18 **THE PARTIES STIPULATE AND REQUEST AN ORDER**, pursuant to
 19 Civil Local Rules 6-1(b) and 6-2 to modify the briefing schedule related to
 20 Defendants’ proposed motion as follows:

21 1. Defendants shall file any motion seeking dismissal of the Complaint
 22 (“Dismissal Motion”) on or before February 7, 2025.

23 2. Plaintiff shall file its opposition to the Dismissal Motion on or before
 24 February 28, 2025.

25 3. Defendants shall file their reply in support of the Dismissal Motion on
 26 or before March 14, 2025.

27 / / /

1 4. Defendants shall notice the hearing on their Dismissal Motion for
 2 Thursday, April 17, 2025 at 10:00 a.m., or another date determined by the Court.

3 5. Nothing in this Stipulation shall be deemed to constitute a waiver of any
 4 rights, defenses, objections or any other application to any court that any party may
 5 have with respect to the claims set forth in the Complaint or otherwise in the above-
 6 captioned action.

7 DATED: November 14, 2024

BUCHALTER
 A Professional Corporation

9 By: /s/ Daniel C. Silva

10 Daniel C. Silva
 11 Attorneys for Defendants
 12 NICHOLAS A. PALAZZO, 4TA
 13 SPORTS, INC., NP VENTURES
 14 HOLDINGS, LLC, and PLAY CALLER
 15 SPORTS GAMING LLC

14 DATED: November 13, 2024

15 SECURITIES AND EXCHANGE
 16 COMMISSION

16 By: /s/ Carina A. Cuellar

17 Carina A. Cuellar
 18 Attorneys for Plaintiff

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____, 2024

HON. EDWARD J. DAVILA
 United States District Judge

SIGNATURE ATTESTATION

Pursuant to Civil Local Rule 5-1 (i)(3), I hereby certify that the content of this document is acceptable to Carina Cuellar, counsel for Plaintiff SECURITIES AND EXCHANGE COMMISSION, and that I have obtained Ms. Cuellar's authorization to affix her electronic signature to this document.

DATED: November 14, 2024 BUCHALTER, A Professional Corporation

By: /s/ Daniel C. Silva
Daniel C. Silva

Attorneys for Defendants
NICHOLAS A. PALAZZO, 4TA
SPORTS, INC., NP VENTURES
HOLDINGS, LLC, and PLAY CALLER
SPORTS GAMING LLC

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